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SUBJECT: U.S. SPEAKER DR. JEFFREY ADDICOTT'S PROGRAM IN KUWAIT;
EXPERT ON TERRORISM LAW

Summary

¶1. Dr. Jeffrey Addicott, Professor and Chairman of the Center for Terrorism Law, St. Mary's University, St. Antonio, Texas, visited Kuwait as a U.S. Speaker, June 22-24, 2008 and spoke to audiences comprised of youth, faculty members, lawyers and legislators about the new field of terrorism law in the post-9/11 era as well as other international terrorism issues such as cyber attacks. A highlight of his program was his presentation at the Kuwait Lawyers' Association with practicing lawyers and legal experts. Dr. Addicott also met with legal counselors at the Ministry of Justice's Kuwait Institute for Judicial and Legal Studies, and lectured students and faculty members at Kuwait University and the American University of Kuwait. He also met with Kuwaiti intellectuals, women lawyers, and human rights and women's political rights activists in private evening intellectual salons (diwaniya-s). This program exceeded our expectations and left our contacts primed for more interactions on this delicate subject. It also provided us with new ideas for counter-terrorism programs in the new fiscal year. End summary.

//Jeffrey Addicott//

¶2. Post invited Dr. Jeffrey Addicott, an internationally recognized authority on national security law, former Senior Legal Advisor to the United States Army's Special Forces, and Director of the Center for Terrorism Law at St. Mary's University School of Law, San Antonio, Texas, to discuss the developing field of terrorism law with Kuwaiti lawyers, professors of law, and advisors to the Kuwaiti National Assembly.

//Lecture at Kuwait Lawyers' Association//

¶3. Mr. Labeed Abdal, a lawyer and a former International Visitor program participant, organized a major event of Dr. Addicott's program at the Kuwait Lawyers' Association. His presentation, which lasted for about two hours, was attended by about forty Kuwaiti lawyers and legal counselors. Addicott stressed that a fundamental obligation of any state is to protect its citizens from threats to person and property but also spoke about civil liberties in the U.S.

He went into detail about "The Law of War" and how it came to be applied to detainees after 9/11, the historical justification for it, and how modern terrorism law is moving in the direction of a compromise solution that blends society's need for security with guarantees for individuals' fundamental rights. The group seemed responsive to Dr. Addicott's ideas and expressed interest in having him return later in the year to provide more information on human rights issues.

//Discussions at Diwaniya of a Major Rights Activist//

¶4. Dr. Jeffrey Addicott also met privately with a group of about twenty intellectuals at the diwaniya (intellectual salon) of Mr. Amer Al-Tameemi, a leading economist, human rights activist, and former President of the Kuwait Economic Society. The gathering was serendipitously also attended by former NEA Assistant Secretary Richard Murphy, who had been visiting Kuwait. Addicott spoke on

"American Perspectives in the International War on Terrorism" and covered many of the points mentioned above but with more emphasis on human rights issues. The discussions were very detailed and covered: defining terrorism, the use of war powers, civil liberty concerns, Congressional powers, Executive powers, cooperative law enforcement, military support to law enforcement, Department of Defense responsibilities, Department of Homeland Security, criminal prosecutions of terrorists, various criminal statutes, domestic surveillance, information security, infrastructure assurance, habeas corpus matters, cyber-offenses, investigations of terrorism, and public access to government proceedings.

//Meeting at Kuwait Institute for Judicial and Legal Studies//

¶5. Dr. Addicott's meeting with Mr. Jamal Al-Shamri, Director General of the Ministry of Justice's Kuwait Institute for Judicial and Legal Studies, and his deputies was especially useful for the follow-on ideas in counter-terrorism programming that it generated. Addicott discussed the same range of legal issues as mentioned above but paid particular attention to cyber-terrorism. Apropos of this, he discussed his recent co-sponsorship of a three-day conference in Cairo on cyber-terror, mentioning that Egypt had provided opportunities for international cooperation in developing legal and policy frameworks. Mr. Al-Shamri subsequently asked Dr. Addicott to draft a proposal for a similar workshop in Kuwait to be held at the end of 2008 or the beginning of 2009 and requested that a speaker from the FBI be invited to participate.

//Two University Lectures//

¶6. Dr. Addicott gave two public lectures; one to about forty political science students taking a summer course on international

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security issues taught by prolific foreign affairs commentator and Political Science professor at Kuwait University, Dr. Abdullah Al-Shayji; and another presentation to forty-five students and faculty members, including the President of the University, at the American Corner library of the American University of Kuwait (AUK). The majority of the students' and faculty members' questions centered on the status of the Guantanamo detainees, the legality of the facility as a holding center, and particularly the fate of the Kuwaiti prisoners still being held there.

//Media Coverage//

¶7. The Kuwaiti Lawyers' Association invited a reporter from Al-Watan English daily newspaper to cover Addicott's presentation. The media unit of Embassy Public Affairs Section arranged a live interview for Dr. Addicott on a program oriented towards youth with independent television station Al-Watan, and an exclusive in-depth interview with the Arabic-language newspaper Al-Qabas. This interview published the questions and answers in their entirety and occupied about half a page in the newspaper.

//Audience Reached//

¶8. In all, we estimate that about 180 Kuwaitis were reached through direct personal contact and of these about 65 were women. Through the media, we estimate that another 10,000 Kuwaitis were exposed to Dr. Addicott's views.

//Results//

¶9. We feel that most participants were satisfied that they at least now had some understanding of the complicated arguments associated with the legal basis and the rationale for many USG detainee actions, including: the Military Commissions Act of 2006, the additional due process provisions mandated by the Supreme Court in the 2004 and 2008 decisions, the lawful right of the U.S. to detain "illegal enemy combatants" in time of war, and the need for increased intelligence to break up terror cells. For those Kuwaitis less inclined towards legal matters, we feel that Dr. Addicott left them at least with an appreciation for the difficult accommodations the United States has had to make in order to reconcile the tension between society's need for security and the Constitutional right of

individuals to due process. This program provided room for Kuwaitis to understand that this tension is not just America's problem, but also their own.

//Evaluation//

¶10. Dr. Addicott's program more than exceeded our expectations. Not only was it well-attended at a time when most Kuwaitis leave the country to escape the heat, but we were also able to attract a critical mass of the right people to participate. In Kuwait, attitudes towards the detainee issue had become hardened in recent years and shrouded with an air of foreboding and mystery. The highly publicized involvement of a Kuwaiti national in a recent suicide bombing in Iraq, however, had genuinely become the buzz of the diwaniya circuits and this may have opened minds to the possibility that the United States might just have been justified in keeping some terrorism suspects off the streets, even though the grounds for doing so had been unclear. The speaker helped us to take advantage of this opening, effectively demonstrated his expertise on his subject, and was able to anticipate the questions his interlocutors raised here and address them thoroughly. We highly recommend him to other posts.

//MSP Goal Targeted//

¶11. This program supported Mission Kuwait's 2008 MSP goal #1: "Ensure that Kuwait acts as a full partner in U.S. regional security efforts;" and goal #2: "Kuwait identifies, deters, apprehends, and prosecutes terrorists and terrorist facilitators."

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